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MEMO
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Hon. Charles L. Brieant
United States District Court
Southern District of New York
300 Quarrapas St
White Plains, NY 10601

*Conference now scheduled
for 5-30-08 at 9:00.
So ordered.*
Charles L. Brieant

**Rc: Harlene Greenberg v. Littman Jewelers, Fred Meyers Inc, et al.,
08 Civ. 1545 (CLB)**

Dear Judge Brieant,

As counsel for the plaintiff in this recently filed case, I write to request a rescheduling of the initial status conference the Court has scheduled for 9:45, Friday morning, April 25.

There are two grounds for this request.

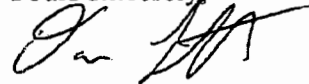
First, I have a conflicting commitment that same morning – a pretrial conference in Manhattan before Judge Chin in *DeSantis v. Deutsche Bank*, 05 Civ 10868 (DC). Judge Chin had dismissed that case without prejudice on November 13, the day on which trial was scheduled to begin, so that Deutsche Bank's Severance Pay Plan Oversight Committee could reconsider its earlier ruling and thereby possibly eliminate the necessity for a trial. When the Committee adhered to its original ruling and discussions among counsel failed to resolve the matter, we requested reinstatement to Judge Chin's trial calendar. He granted our request on April 10. My client, who works in Boston, has made arrangements to come to New York City early Friday morning to meet with me, then to participate in the conference with Judge Chin, and then to spend the afternoon helping me to prepare for trial.

Second, I have not yet been informed of the defendants' choice of counsel. Defendant Fred Meyer Inc., of which named defendant Littman Jewelers is only an unincorporated division, is for all practical purposes the defendant in this action. Fred Meyer Inc. is a Delaware corporation headquartered in Portland, Oregon. It has taken a while to effect service on the Oregon-based defendant. I shall, however, fax a copy of this letter to its general counsel.

In the circumstances, I respectfully request that our initial conference be rescheduled for a date toward the end of May.

I attempted to reach Mrs Cama or someone else in Your Honor's chambers this afternoon about this request, but could not do so and was advised by the Clerk's office to fax this letter instead.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dan Levitt', written over a horizontal line.

Dan Levitt

Plaintiff's counsel